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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,778	03/16/2004	Koichi Kawamura	Q80446	2631
23373 7590 04/10/2008 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
AHMED, SHEEBA				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
04/10/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1. The Response filed under 37 CFR 1.116 filed on February 28, 2008 has been entered in the file but does not place the application in condition for allowance.

Applicant's arguments, with regards to the rejection of claims 9-14, 16, and 20-25 under 35 U.S.C. 102(e) as being anticipated by Kawamura et al. (US 6,811,878 B2) and the rejection of claims 9-14, 16, and 20-23 under 35 U.S.C. 102(e) as being anticipated by Kawamura et al. (US 6,566,029), have been fully considered but they are not persuasive.

Applicants submit that with regards to the limitation that the fine particles do not interact with the hydrophilic functional group of the graft polymer such that the movement of the fine particles is not hindered, that the cited references do not anticipate (or render obvious) the invention as recited in the claims because, in the invention as recited in the claims, it is important that the movement of the fine particles is not hindered, which is different from the particles simply being capable of movement such as rotating. In this regard, hindered movement does not mean that there is no movement, so there can be hindered movement even in an embodiment where particles rotate. For there to be no hindered movement, the fine particles must be capable of transfer. Further, Applicants note that the Examiner points out that although the applicant argue that the ionic binding in Kawamura '878 would hinder the movement of the fine particles, the claims as instantly recited do not preclude the fine particles from ionically interacting with the hydrophilic group. Applicants further submit that the claims as instantly recited clearly preclude the fine particles from ionically interacting with the

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hydrophilic group because the fine particles do not interact with the hydrophilic functional group of the graft polymer.

However, as previously pointed out, the Examiner has taken the position that the structure taught by Kawamura et al. meets the limitation that the fine particles do not interact with the hydrophilic functional group of the graft polymer such that the movement of the particles is not hindered given that the particles are capable of rotating (i.e., a type of movement) and hence meet the claim limitations. Furthermore, the Examiner would like to point out that although the Applicants argue that the ionic binding in Kawamura '878 would hinder the movement of the particles, the claims as instantly recited do not preclude the particles from ionically interacting with the hydrophilic group; the claims simply require that the particle be capable of movement. It is not clear to the Examiner how the claims as instantly recited preclude the fine particles from ionically interacting with the hydrophilic group because the fine particles do not interact with the hydrophilic functional group of the graft polymer. Applicants have failed to provide any further explanations to support their arguments. Hence, the above rejections are maintained.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheeba Ahmed whose telephone number is (571)272-1504. The examiner can normally be reached on Monday-Friday from 9am to 5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on (571)272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

/Sheeba Ahmed/
Primary Examiner, Art Unit 1794